

**Raleigh Board of Adjustment  
Decisions  
October 12, 2015**

**A-72(A)-15 – 10/12/15**

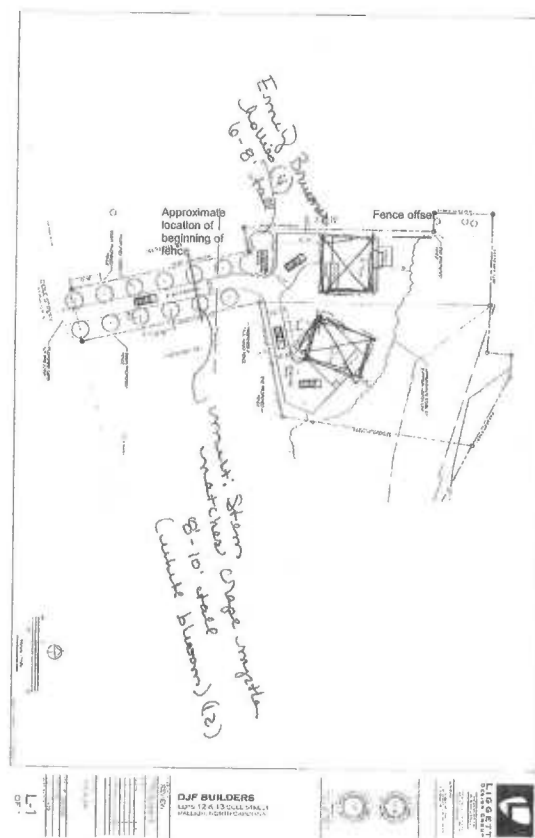
**WHEREAS**, DJF Builders, property owner, requests a 205' maximum front yard setback variance from the standards set forth in Section 10-2024(d)(2) of the Part 10 Development Regulations to allow for a detached house to be constructed at least 190' but not more than 220' from Cole Street on a .43 acre property zoned Special Residential-30 and located at 514 Cole Street.

**Decision:**      Approved with the following conditions:

1. The lots identified as 509 Wade Avenue and 505 Wade Avenue will be recombined into a single lot, subject to the City of Raleigh requirements and approval. A restrictive covenant will be recorded in the chain of title for the recombined lot indicating that the re-combined lot will not be subdivided at any point in the future. Minimal clearing of existing trees and vegetation on the lot identified as 505 Wade Avenue will occur during construction.
2. A maximum of two (2) dwelling units shall be constructed on the Property.
3. The locations of the dwellings shall be shifted slightly from the locations shown drawings submitted with the variance application in an effort to better align the houses with one another, subject to topographical considerations, as set forth on the drawing attached as Exhibit A.
4. Subject to the approval of the City of Raleigh, the paved area of the driveway to be constructed on the lot located at 513 Wade Avenue/514 Cole Street shall be no greater than twelve (12) feet in width. In order to screen the driveway, six trees shall be installed along each side of the driveway beginning at Cole Street, for a total of twelve trees, at approximately 25-foot intervals. The trees shall be expected to grow to at least 8-10 feet in height at maturity and shall be greater than five (5) feet at installation. Evergreen trees that are expected to grow to at least 8-10 feet height at maturity shall be installed on the lot located at 513 Wade Avenue/514 Cole Street to screen from view any garage door. All landscaping required by this condition shall be installed within thirty (30) days after the issuance of a certificate of occupancy for the first dwelling constructed on the Property. Any fencing installed on the lot located at 513 Wade Avenue/514 Cole Street shall be setback from Cole Street at the same distance as the rear yard fencing of the property located at 512 Cole Street, as indicated on Exhibit A.

5. Prior to obtaining building permits for any of the dwellings on the Property, construction staging area(s) shall be established on the Property providing space for parking of construction related vehicles and storage of building materials during construction of the dwellings on the Property.
6. The fencing currently installed in the rear yard of the lot located at 512 Cole Street shall be removed and replaced with a wooden privacy fence, eight {8} feet in height. In order to provide additional screening, evergreen shrubbery or trees shall be installed at the fence line, on the lot located at 509 Wade Avenue, which are expected to grow at least eight (8) feet in height at maturity.
7. Any fencing installed on the that portion of the western boundary of 513 Wade Avenue/514 Cole Street (PIN 1704551341) adjacent to the public alley from the rear corner of the rear porch of the dwelling to the end of the alley shall be offset from the public alley by a minimum of two (2) feet in order to allow vehicles additional area in which to turn around at the end of the public alley, as set forth on Exhibit A.

Exhibit A



**A-72(B)-15 – 10/12/15**

**WHEREAS**, DJF Builders, property owner, requests a 115' maximum front yard setback variance from the standards set forth in Section 10-2024(d)(2) of the Part 10 Development Regulations to allow for a detached house to be constructed at least 50' but not more than 130' from Wade Avenue on a .42 acre property zoned Special Residential-30 and located at 509 Wade Avenue.

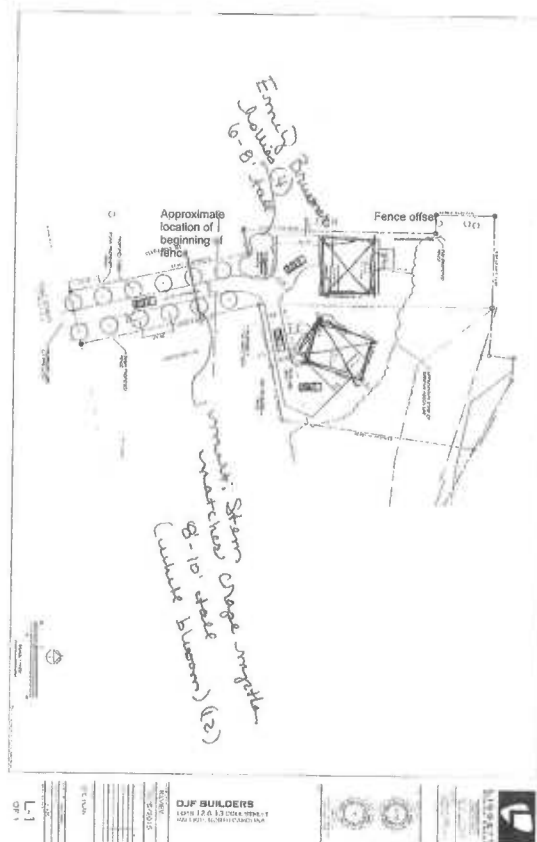
**Decision:**     Approved with the following conditions:

1. The lots identified as 509 Wade Avenue and 505 Wade Avenue will be recombined into a single lot, subject to the City of Raleigh requirements and approval. A restrictive covenant will be recorded in the chain of title for the recombined lot indicating that the recombined lot will not be subdivided at any point in the future. Minimal clearing of existing trees and vegetation on the lot identified as 505 Wade Avenue will occur during construction.
2. A maximum of two (2) dwelling units shall be constructed on the Property.
3. The locations of the dwellings shall be shifted slightly from the locations shown drawings submitted with the variance application in an effort to better align the houses with one another, subject to topographical considerations, as set forth on the drawing attached as Exhibit A.
4. Subject to the approval of the City of Raleigh, the paved area of the driveway to be constructed on the lot located at 513 Wade Avenue/514 Cole Street shall be no greater than twelve (12) feet in width. In order to screen the driveway, six trees shall be installed along each side of the driveway beginning at Cole Street, for a total of twelve trees, at approximately 25-foot intervals. The trees shall be expected to grow to at least 8-10 feet in height at maturity and shall be greater than five (5) feet at installation. Evergreen trees that are expected to grow to at least 8-10 feet height at maturity shall be installed on the lot located at 513 Wade Avenue/514 Cole Street to screen from view any garage door. All landscaping required by this condition shall be installed within thirty (30) days after the issuance of a certificate of occupancy for the first dwelling constructed on the Property. Any fencing installed on the lot located at 513 Wade Avenue/514 Cole Street shall be setback from Cole Street at the same distance as the rear yard fencing of the property located at 512 Cole Street, as indicated on Exhibit A.
5. Prior to obtaining building permits for any of the dwellings on the Property, construction staging area(s) shall be established on the Property providing space for parking of construction related

vehicles and storage of building materials during construction of the dwellings on the Property.

6. The fencing currently installed in the rear yard of the lot located at 512 Cole Street shall be removed and replaced with a wooden privacy fence, eight {8} feet in height. In order to provide additional screening, evergreen shrubbery or trees shall be installed at the fence line, on the lot located at 509 Wade Avenue, which are expected to grow at least eight (8) feet in height at maturity.
7. Any fencing installed on the that portion of the western boundary of 513 Wade Avenue/514 Cole Street (PIN 1704551341) adjacent to the public alley from the rear corner of the rear porch of the dwelling to the end of the alley shall be offset from the public alley by a minimum of two (2) feet in order to allow vehicles additional area in which to turn around at the end of the public alley, as set forth on Exhibit A.

Exhibit A



**A-80-15 – 10/12/15**

**WHEREAS**, Robert Gillen and Robert Willett, separate neighboring property owners, request an appeal of an administrative decision regarding work undertaken on an alley driveway on a .02 acre parcel zoned Residential-10 and General Historic Overlay District that is owned by Heather Lee and Randall Craig Scott and located at 0 E. Lane Street (PIN# 1704902245).

**Decision:** Upheld the City's administrative decision.

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**A-82-15 – 10/12/15**

**WHEREAS**, Thomas C. Hobbs, Jr., property owner, requests a variance from all of the forestation requirements set forth in Section 9.1.9.A. of the Part 10 A Unified Development Ordinance to allow for the construction of a detached house on a .57 acre property zoned Residential-6 Conditional Use and Urban Watershed Protection Overlay District located at 2400 Victoria Park Lane.

**Decision:** Approved as requested.

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**A-83-15 – 10/12/15**

**WHEREAS**, Thomas C. Hobbs, Jr., property owner, requests a variance from all of the forestation requirements set forth in Section 9.1.9.A. of the Part 10 A Unified Development Ordinance to allow for the construction of a detached house on a .65 acre property zoned Residential-6 Conditional Use and Urban Watershed Protection Overlay District located at 2424 Victoria Park Lane.

**Decision:** Approved as requested.

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**A-84-15 – 10/12/15**

**WHEREAS**, Thomas C. Hobbs, Jr., property owner, requests a variance from all of the forestation requirements set forth in Section 9.1.9.A. of the Part 10 A Unified Development Ordinance to allow for the construction of a detached house on a .55 acre property zoned Residential-6 Conditional Use and Urban Watershed Protection Overlay District located at 2324 Victoria Park Lane.

**Decision:** Approved as requested.

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**A-85-15 – 10/12/15**

**WHEREAS**, William and Kathryn Holding, property owners, request the following variances from the regulations set forth in Section 2.2.1 of the Part 10A Unified Development Ordinance: a .5' side yard setback variance to legalize an existing detached house and a 2.5' side yard setback variance as well as a 23' rear yard setback variance in order to expand the structure on a .21 acre property zoned Residential-4 located at 2517 Kenmore Drive.

**Decision:** Approved as requested.

**A-86-15 – 10/12/15**

**WHEREAS**, Habitat Improvements LLC and Tephra Development, LLC, property owners, request two 2.54' variances in the minimum lot width requirements for detached house lots set forth in Section 2.2.1 of the Part 10 A Unified Development Ordinance in order to subdivide a .21 acre parcel into two 42.4' wide lots zoned Residential-10 and located at 706 Colleton Road.

**Decision:** Deferred to the Board's November 9, 2015 meeting.

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**A-87-15 – 10/12/15**

**WHEREAS**, Philip and Donna Sipling, property owners, request complete relief from the active stormwater control measures and requirements set forth in Section 9.2.2 of the Part 10A Unified Development Ordinance to allow for the construction detached house and any accessory structures/impervious-surfaces on a .88 acre property zoned Residential-4 and located at 1918 Banbury Road.

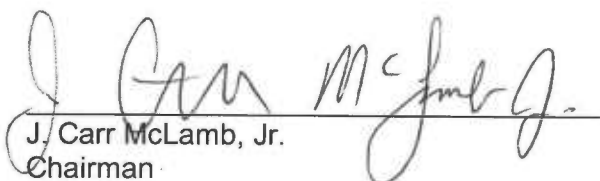
**Decision:** Approved as requested.

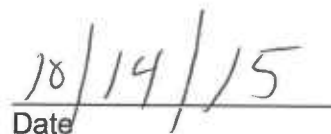
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**A-88-15 – 10/12/15**

**WHEREAS**, St. Augustine's University, property owner, requests a Special Use Permit pursuant to Section 10.2.9. of the Part 10A Unified Development Ordinance to permit an outdoor sports or entertainment facility with 2,500 seats in accordance with Section 6.4.5.C. of the Part 10A Unified Development Ordinance on a 94.20 acre property zoned Office and Institution-1 located at 1315 Oakwood Avenue.

**Decision:** Approved a 2 year extension of the Special Use Permit upon the same terms and conditions as the existing Special Use Permit, with the exception of the date of completion.

  
J. Carr McLamb, Jr.  
Chairman

  
Date